IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

CRP.No. 1855 of 2001(G)

AA.62/1999 of APPELLATE AUTHORITY, KANNUR
S.M.NO.221/90 OF THE LAND TRIBUNAL, KOZHIKODE.

.....

REVN. PETITIONER/APPELLANT/PETITIONER:

SMT.KUNNIYIL KALYANI (DIED)
LEGAL REPRESENTATIVE CHALIL BALAKRISHNAN,
HOUSE NO.17/1143, CHEMBILTHODI VEEDU,
NEAR CHINTHAVALAPPU SCHOOL, P.O.PUTHIYARA.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS/RESPONDENTS/RESPONDENTS:

---

1. ARANGIL RAGHAVAN, TALUK ROAD,
   POST PUTHIYARA, CALICUT.

2. K.V.DAMODARAN NAIR, CHEMBILTHODIKA VEEDU,
   PUTHIYARA, KOZHIKODE.

3. KANNALATHA AMMU AMMA, KASABA AMSOM,
   KARIAKUNNU DESOM, KASABA VILLAGE,
   CHEMBILTHODI HOUSE, P.O.PUTHIYARA, KOZHIKODE.

4. STATE OF KERALA REP. BY CHIEF SECRETARY,
   SECRETARIAT, TRIVANDRUM.

R2-R3 BY ADV. SRI.JACOB ABRAHAM
SMT.KOCHUMOL KODUVATH
R1 BY ADV.SRI.V.G.ARUN
R4 BY GOVT. PLEADER MR.SHYSON P.MANGUZHA

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 18/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CMP NO.5014 OF 2001 IN C.R.P.NO.1855 OF 2001

DISMISSED

18.7.2007 SD/- PIUS C.KURIAKOSE, JUDGE.

PIUS C. KURIAKOSE,J.

- -

C.R.P. No.1855 of 2001

- -

Dated: 18th July, 2007

ORDER

I do not find any jurisdictional infirmity about the order of the Land Reforms Appellate Authority under which the Appellate Authority has on valid reasons confirmed the order of the Land Tribunal finding that the petitioner cannot be entitled for karaima rights she claimed over the holding. I was taken through the full text of the Land Tribunal's order also. The holding in question is just two cents in extent and it includes a residential building which is occupied by several persons. The petitioner is in occupation of only a portion of the building. The Land Tribunal has noticed that the transfer which is seen made under the koolikaichit is not a transfer of land but only transfer of a portion of the building which is situated on the land. In other words, the submission of the learned counsel for the 2nd respondent that karaima rights as envisaged under Section 2(23A) of the Land Reforms Act could not have been claimed by the petitioner has force. The challenge against the impugned order will stand repelled. The C.R.P. is dismissed. No costs.

srd **PIUS C.KURIAKOSE, JUDGE**